

REMARKS

Favorable consideration of the present application is respectfully requested in view of the above newly presented claims and the following remarks.

The Examiner had founded his rejection of claim 1 in the parent case on the view that combining the load (for example a motor or appliance) and a switching mechanism in the same housing would have been an obvious design choice, for example for enhancing the heat exchange between the load and the switching mechanism.

However, the present invention as claimed cannot be reduced to the concept of simply dispensing with a housing, so that two devices that have formerly been separated are now combined in a common housing.

The present invention goes beyond this simple concept by introducing a much more immediate interaction between the two devices, which enables the dispensing of even further parts of the switch.

Conventional temperature dependent switches having a housing (such as the Wehl et al switch from U.S. 3,443,259) comprise two terminals that are fixed, e.g., by soldering, to an electrical load to be protected. If the invention was simply to dispense with the housing (casing 2 in the Wehl et al patent), this would only have the advantage of an enhanced heat exchange between the load and the switching mechanism.

But the claimed invention is distinct from a device that has a housingless temperature dependent switch soldered to terminals of a load. Namely, the movable contact element of the switching mechanism is (below the response temperature of the

switch) in direct contact not with a countercontact that is part of the switching mechanism, but with a countercontact that is part of the device and has in known arrangements been used for providing a connection to one of the terminals (and not to a movable contact) of the switch.

As a result, it is not only the housing of the switching mechanism that is dispensed with, but also a countercontact for the movable contact element that is usually contained in the temperature-dependent switch itself. One of ordinary skill in the art would therefore have to modify the switch known from Wehl et al not only to the extent that the casing 2 is dispensed with, but also that terminals arm 6 is completely removed, and that, additionally, a terminal of the load provided to be connected to terminal arm 6 would have to be constructively modified so that movable contact 13 can make a connection to this terminal. Such extensive modifications are not rendered obvious by the prior art.

New claims 16-36 have been drafted to expressly define these distinctions. Accordingly, the present application is believed to present allowable subject matter. Favorable consideration is respectfully solicited.

Respectfully submitted,

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